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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,332	03/15/2004	Rudolph Balaz	MS1-467USC2	1955

22801   7590   04/05/2006

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EXAMINER
REVAK, CHRISTOPHER A

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/801,332	BALAZ ET AL.
	Examiner	**Art Unit**	
	Christopher A. Revak	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 January 2006*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 7-21* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Reopening of Prosecution

1.   In view of the appeal brief filed on January 10, 2006, PROSECUTION IS

HEREBY REOPENED. A new ground of rejection is set forth below as is applied to

dependent claim 21.

To avoid abandonment of the application, appellant must exercise one of the

following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply

under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed

by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and

appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth

in 37 CFR 41.20 have been increased since they were previously paid, then appellant

must pay the difference between the increased fees and the amount previously paid.

Response to Arguments

2.   The examiner maintains the rejection of claims 1-20. It is argued by the applicant

that the combined teachings of Colvin and Mikurak fail to disclose "a registration

authority operating as a protocol gateway between a device and a certificate authority",

specifically that Mikurak only recites of an Internet gateway and a Registration Authority.

The examiner disagrees with the applicant's interpretation of the teachings of Mikurak.

Protocol gateways are notoriously well known to one of ordinary skill in the art as be

responsible for convert the protocols, the transmitted information would be

incomprehensible upon arrival and gateways allow incompatible networks to

communicate with one another, see Mikurak col. 67, lines 15-25. The protocol gateway

operates through the Internet which is connected between the registration authority,

device, and certificate authority, see Mikurak col. 67, lines 15-25 and Figure 120.

3.   The applicant has not traversed the examiner's use of official notice with regards

to claims 2,11, and 20. A general allegation has been made by the applicant and the

applicant has not adequately traversed the examiner use of official notice taken on

"routers" in the non-final office action mailed on September 21, 2004. In the

corresponding response, the applicant must specifically point out the supposed error in

the examiner's action and the applicant has not included a statement by the noticed fact

is not considered to be well known in the art. The use of "routers" is taken by the

examiner to be well known in the prior art since the applicant has not adequately

challenged the examiner's use of official notice and the use of "routers" is taken to be

well known to one of ordinary skill in the art since the official notice has not been

adequately traversed by the applicant in the correspondence filed by the applicant on

February 22, 2005. Please refer to MPEP 2144.03 (c).

4.   The rejection with respect to dependent claim 21 has been withdrawn in light of

the teachings of Colvin and Mikurak, however the examiner has applied the teachings of

Andersson et al, U.S. Patent 6,931,016 to that claim.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-5 and 7-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Colvin, U.S. Patent 6,044,471 in view of Mikurak, U.S. Patent 6,606,744.

As per claims 1,10, and 19, it is disclosed by Colvin of a method, apparatus

(system), and computer readable media containing a plurality of instructions executed

by a computer (comprising a processor)(col. 1, lines 62-64 and col. 11, lines 44-46). A

request is received, from an end-user (requestor), for a password to be used by an end-

user located on a computer (device) when communicating with administrator

(registration authority)(col. 4, lines 35-39,61-66). The end-user (requestor) is

authenticated by an administrator that checks the registration information associated

with the computer (device)(col. 4, lines 39-41,61-66 and col. 5, lines 6-9). The

password is generated, storing (by adding) it at a source (password table), and the

password is sent to the end-user (requestor) for use by the device (col. 3, line 67

through col. 4, line 2, col. 4, lines 40-42, and col. 6, lines 65-67). The teachings of

Colvin disclose of an administrator (registration authority), but are silent in disclosing

that the registration authority operates as a protocol gateway between the device and a

certificate authority. It is disclosed by Mikurak of a registration authority that acts as a

protocol gateway that is coupled to receive messages from a certificate authority (col.

67, lines 15-19,21-25, col. 269, lines 58-65, and as shown in Figure 120). It is obvious

to a person of ordinary skill in the art that it would have been obvious to implement the

usage of a registration authority to act as a protocol gateway between a device and a

certificate authority. Mikurak recites motivation for the use of a registration authority

acting as a protocol gateway by disclosing without the use of gateways to convert the

protocols, the transmitted information would be incomprehensible upon arrival and

gateways allow incompatible networks to communicate with one another (col. 67, lines

15-25). It is obvious that the teachings of Colvin would have found this feature

beneficial in order to convert messages of one protocol to that of another protocol by

means of a registration authority acting as a protocol gateway, as suggested by

Mikurak, so that a password can be obtained regardless of multiple systems operating

on different protocols.

As per claims 2,11, and 20, the teachings of Colvin are shown being embodied

on a network that is connected across the Internet (as shown in Figure 1 and col. 8,

lines 1-3). The teachings of Colvin are silent in reciting that a router is used. The

examiner hereby takes official notice that the use of routers are notoriously well known.

It would have been obvious to a person of ordinary skill in the art at the time of the

invention to be motivated to apply means expediting message delivery. The motivation

for using routers are that they received transmitted messages and forward them to their

destination over the most efficient route since there are many possible routes that the

data can be sent. It is obvious that the teachings of Colvin use routers since it is

connected across the Internet and so that the most efficient routes can be used to transfer information between a user's computer and an administrator.

As per claims 3 and 12, it is taught by Colvin that the password is generated as a random number (col. 3, line 67 through col. 4).

As per claims 4 and 13, Colvin teaches of the use of encrypting (SSL is a form of encryption) communications (receiving, authenticating, and returning) between a user that is located at a device and the administrator to ensure that the communications are less susceptible to tampering (col. 3, lines 3-5 and col. 4, lines 35-39).

As per claims 5 and 14, Colvin discloses that the password is kept active for a selective amount of time (col. 4, lines 24-27,36-39).

As per claims 7 and 16, it is disclosed by Colvin that the password is kept active for a selected amount of time and then the password is removed from storage (password table) after the selected amount of time (col. 4, lines 24-27,36-39 and col. 7, lines 32-38).

As per claims 8 and 17, Colvin teaches of receiving a request from an end-user located at a computer (device) that includes a request for a password, checking whether the password request is include in the storage location (password table) and processing the request if the request password is include in the password table. If the provided information doesn't match with the information that is used, the request is rejected (col. 4, lines 39-41,61-66, col. 5, lines 6-9, and col. 6, lines 65-67).

As per claims 9 and 18, Colvin discloses that the request password is removed from storage (password table) once a new password is issued (col. 9, lines 17-21 and col. 6, lines 65-67).

As per claim 15, it is recited in the teachings of Colvin that the password is kept active for a selected amount of and is then invalid after that selected amount of time (col. 4, lines 24-27,36-39).

3.   Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Colvin, U.S. Patent 6,044,471 in view of Mikurak, U.S. Patent 6,606,744 in further view of Andersson et al, U.S. Patent 6,931,016.

The combined teachings of Colvin and Mikurak fail to disclose of receiving a password as part of a subsequent request from the device and comparing the received password to the password in the password table to verify that the subsequent request actually came from the device. It is taught by Andersson et al of receiving a password as part of a subsequent request from the device and comparing the received password to the password in the password table to verify that the subsequent request actually came from the device (col. 3, line 67 through col. 4, line 6 and col. 4, lines 18-27). It would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to apply authentication checks to routers to ensure that they are the correct devices when communicating. The teachings of Andersson et al recite of motivation for authenticating the routers by disclosing that by authenticating the router through use of passwords, only authenticated routers are allowed to participate in the VPN (col. 4, lines 18-27 & 33-40). It is obvious to one of ordinary skill in the art that the

combined teachings of Colvin and Mikurak would have been made more secure by authenticating a router participating in communications so that it can be properly authenticated prior to connecting to the network as is taught by Andersson et al.

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CHRISTOPHER REVAK
PRIMARY EXAMINER

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April 3, 2006